

# Board of Appeals

## MISSION STATEMENT

The mission of the Board of Appeals is to implement the flexibility provided in the Zoning Ordinance as approved by the County Council and to assist County citizens in understanding and participating in the special exception, variance, and administrative appeal process.

## BUDGET OVERVIEW

The total recommended FY08 Operating Budget for the Board of Appeals is \$587,010, an increase of \$22,170 or 3.9 percent from the FY07 Approved Budget of \$564,840. Personnel Costs comprise 87.5 percent of the budget for four full-time positions for 4.7 workyears. Operating Expenses account for the remaining 12.5 percent of the FY08 budget.

## PROGRAM CONTACTS

Contact Katherine Freeman of the Board of Appeals at 240.777.6600 or Helen Vallone of the Office of Management and Budget at 240.777.2755 for more information regarding this department's operating budget.

## PROGRAM DESCRIPTIONS

### *Zoning Related Hearings and Administrative Appeals*

The Board of Appeals hears requests for special exceptions and variances as provided in the Zoning Ordinance. The Zoning Ordinance requires that requests for certain uses (special exceptions) be considered for approval by the Board. Development standards for each zone are also set by the Zoning Ordinance. Variances from these standards require approval by the Board. The Board of Appeals also holds hearings and rules on appeals from administrative actions of certain governmental departments and agencies, as provided in the County Code.

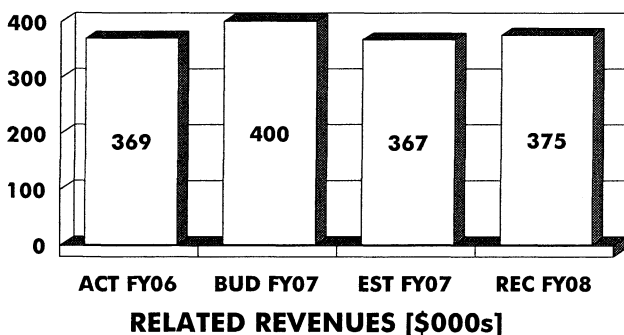
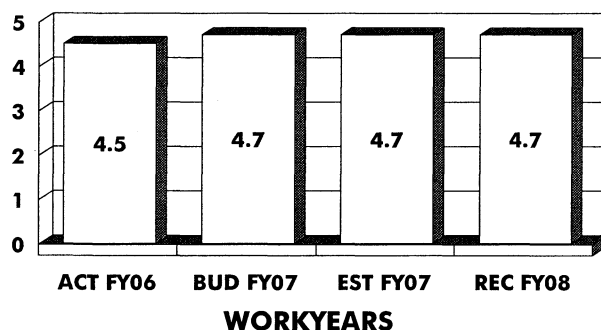
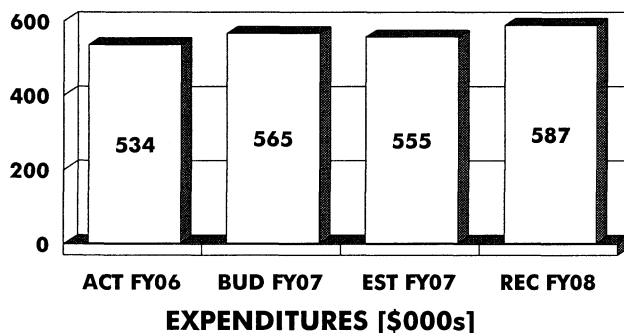
### *FY08 Recommended Changes*

|                            | Expenditures   | WYs        |
|----------------------------|----------------|------------|
| <b>FY07 Approved</b>       | <b>564,840</b> | <b>4.7</b> |
| <b>FY08 CE Recommended</b> | <b>587,010</b> | <b>4.7</b> |

## Program Summary

|  | Expenditures   | WYs        |
|--|----------------|------------|
| Zoning Related Hearings and Administrative Appeals | 587,010        | 4.7        |
| <b>Totals</b>                                      | <b>587,010</b> | <b>4.7</b> |

## Trends



## BUDGET SUMMARY

|  | Actual<br>FY06 | Budget<br>FY07 | Estimated<br>FY07 | Recommended<br>FY08 | % Chg<br>Bud/Rec |
|--|----------------|----------------|-------------------|---------------------|------------------|
| <b>COUNTY GENERAL FUND</b>                 |                |                |                   |                     |                  |
| <b>EXPENDITURES</b>                        |                |                |                   |                     |                  |
| Salaries and Wages                         | 367,533        | 386,130        | 386,850           | 407,570             | 5.6%             |
| Employee Benefits                          | 88,833         | 105,810        | 95,480            | 106,050             | 0.2%             |
| <b>County General Fund Personnel Costs</b> | <b>456,366</b> | <b>491,940</b> | <b>482,330</b>    | <b>513,620</b>      | <b>4.4%</b>      |
| Operating Expenses                         | 77,631         | 72,900         | 72,900            | 73,390              | 0.7%             |
| Capital Outlay                             | 0              | 0              | 0                 | 0                   | —                |
| <b>County General Fund Expenditures</b>    | <b>533,997</b> | <b>564,840</b> | <b>555,230</b>    | <b>587,010</b>      | <b>3.9%</b>      |
| <b>PERSONNEL</b>                           |                |                |                   |                     |                  |
| Full-Time                                  | 4              | 4              | 4                 | 4                   | —                |
| Part-Time                                  | 0              | 0              | 0                 | 0                   | —                |
| Workyears                                  | 4.5            | 4.7            | 4.7               | 4.7                 | —                |
| <b>REVENUES</b>                            |                |                |                   |                     |                  |
| Board of Appeals Fees                      | 369,346        | 400,000        | 366,750           | 375,000             | -6.3%            |
| <b>County General Fund Revenues</b>        | <b>369,346</b> | <b>400,000</b> | <b>366,750</b>    | <b>375,000</b>      | <b>-6.3%</b>     |

## FY08 RECOMMENDED CHANGES

|   | Expenditures   | WYs        |
|---|----------------|------------|
| <b>COUNTY GENERAL FUND</b>                                    |                |            |
| <b>FY07 ORIGINAL APPROPRIATION</b>                            | <b>564,840</b> | <b>4.7</b> |
| <b><u>Other Adjustments (with no service impacts)</u></b>     |                |            |
| Increase Cost: General Wage and Service Increment Adjustments | 13,270         | 0.0        |
| Increase Cost: Annualization of FY07 Personnel Costs          | 6,950          | 0.0        |
| Increase Cost: Retirement Rate Adjustment                     | 1,980          | 0.0        |
| Increase Cost: Printing and Mail Adjustments                  | 250            | 0.0        |
| Increase Cost: Annualization of FY07 Operating Expenses       | 240            | 0.0        |
| Decrease Cost: Group Insurance Rate Adjustment                | -520           | 0.0        |
| <b>FY08 RECOMMENDED:</b>                                      | <b>587,010</b> | <b>4.7</b> |

## FUTURE FISCAL IMPACTS

| Title  | CE REC.<br>FY08 | FY09       | FY10       | ( \$000's)<br>FY11 | FY12       | FY13       |
|--|-----------------|------------|------------|--------------------|------------|------------|
| This table is intended to present significant future fiscal impacts of the department's programs.  |                 |            |            |                    |            |            |
| <b>COUNTY GENERAL FUND</b>   |                 |            |            |                    |            |            |
| <b>Expenditures</b>  |                 |            |            |                    |            |            |
| <b>FY08 Recommended</b>  | <b>587</b>      | <b>587</b> | <b>587</b> | <b>587</b>         | <b>587</b> | <b>587</b> |
| No inflation or compensation change is included in outyear projections.  |                 |            |            |                    |            |            |
| <b>Labor Contracts</b>   | <b>0</b>        | <b>15</b>  | <b>31</b>  | <b>31</b>          | <b>31</b>  | <b>31</b>  |
| These figures represent the annualization of service increments, general wage adjustments, and associated benefits. Estimated compensation (e.g., general wage adjustments and service increments) for personnel are included for FY09 and beyond. |                 |            |            |                    |            |            |
| <b>Subtotal Expenditures</b>   | <b>587</b>      | <b>602</b> | <b>618</b> | <b>618</b>         | <b>618</b> | <b>618</b> |

## BOARD OF APPEALS

**PROGRAM:**

Zoning Related Hearings and Administrative Appeals

**PROGRAM ELEMENT:**
**PROGRAM MISSION:**

To implement the flexibility provided in the Zoning Ordinance as approved by the County Council, to provide a fair hearing process that is accessible and understandable to the public, and to assist County citizens in understanding and participating in the special exception, variance, and administrative appeal processes

**COMMUNITY OUTCOMES SUPPORTED:**

- Provide flexibility within the law in the application of zoning and other land use requirements
- Ensure fair and timely administration of justice
- Provide open, accessible, responsive government
- Increase public confidence in and understanding of government processes and services

**PROGRAM MEASURES**

|   | FY04<br>ACTUAL | FY05<br>ACTUAL | FY06<br>ACTUAL | FY07<br>BUDGET | FY08<br>CE REC |
|---|----------------|----------------|----------------|----------------|----------------|
| <b>Outcomes/Results:</b>  |                |                |                |                |                |
| Number of special exceptions decided                                      | 59             | 36             | 29             | 15             | 30             |
| Number of variances decided   | 58             | 64             | 38             | 29             | 40             |
| Number of administrative appeals decided                                  | 12             | 16             | 9              | 13             | 15             |
| Number of administrative actions taken                                    | 468            | 426            | 363            | 425            | 425            |
| <b>Service Quality:</b>   |                |                |                |                |                |
| Percentage of parties surveyed who were satisfied or very satisfied with: |                |                |                |                |                |
| - The assistance provided by Board staff                                  | NA             | NA             | NA             | 50             | 100            |
| - Their understanding of the process                                      | NA             | NA             | NA             | 50             | 100            |
| - The ease with which they navigated the process                          | NA             | NA             | NA             | 50             | 100            |
| - The fairness of the process   | NA             | NA             | NA             | 25             | 100            |
| Average time to issue a written decision (days):                          |                |                |                |                |                |
| - Special exceptions  | 24             | 25             | 44             | 30             | 30             |
| - Variances   | 36             | 43             | 49             | 30             | 30             |
| - Administrative appeals  | 55             | 61             | 58             | 45             | 45             |
| Number of reconsiderations requested                                      | NA             | NA             | 4              | 4              | 0              |
| Number of Board decisions remanded from the courts                        | 0              | 1              | 5              | 1              | 0              |
| Percentage of Board decisions upheld on appeal                            | NA             | NA             | 60             | 60             | 100            |
| <b>Efficiency:</b>  |                |                |                |                |                |
| Average cost per case heard (\$)  | 826            | 929            | 835            | 1,055          | 1,070          |
| Fees received (\$)  | 415,356        | 346,953        | 366,746        | 350,000        | 375,000        |
| Percentage of expenditures covered by fees                                | 79.6           | 66.3           | 65.7           | 62.0           | 66.0           |
| <b>Workload/Outputs:</b>  |                |                |                |                |                |
| Number of special exception cases filed/heard                             | 48             | 33             | 28             | 35             | 35             |
| Number of variance cases filed/heard                                      | 60             | 52             | 41             | 50             | 50             |
| Number of administrative appeals filed/heard                              | 27             | 18             | 26             | 25             | 25             |
| Number of worksessions held   | 29             | 34             | 26             | 35             | 35             |
| Number of telephone requests/queries answered                             | NA             | NA             | NA             | TBD            | 3,900          |
| Number of walk-in clients assisted  | NA             | NA             | NA             | TBD            | 250            |
| <b>Inputs:</b>  |                |                |                |                |                |
| Expenditures (\$000)  | 521,930        | 523,030        | 558,023        | 564,840        | 587,010        |
| Workyears   | 5.0            | 4.5            | 4.5            | 4.7            | 4.7            |